



**MCI Telecommunications  
Corporation**

1801 Pennsylvania Avenue, NW  
Washington, DC 20006  
202 872 1600

ORIGINAL

RECEIVED

1 FEB 28 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

February 28, 1995

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

**RE: Assessment and Collection of Regulatory Fees for Fiscal Year 1995; MD  
Docket No. 95-3**

Dear Mr. Caton:

Enclosed herewith for filing are the original and four (4) copies of MCI Telecommunications Corporation's Reply Comments regarding the above-captioned matter.

Please acknowledge receipt by affixing an appropriate notation on the copy of the MCI Reply Comments furnished for such purpose and remit same to the bearer.

Sincerely yours,

Don Sussman  
Regulatory Analyst

Enclosure  
DHS

No. of Copies rec'd  
List ABCDE

014

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

RECEIVED  
FEB 28 1995  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of: )

Assessment and Collection )  
of Regulatory Fees for )  
Fiscal Year 1995 )

MD Docket No. 95-3

Notice of Proposed Rulemaking

DOCKET FILE COPY ORIGINAL

**MCI REPLY COMMENTS**

**I. INTRODUCTION**

MCI Telecommunications Corporation ("MCI") respectfully offers its Reply in response to Comments filed on February 13, 1995, regarding the Notice of Proposed Rulemaking ("NPRM"), released January 12, 1995.<sup>1</sup> In the NPRM, the Commission requested comment on whether it should base its calculations of 1995 regulatory fees on each carrier's number of presubscribed interstate lines ("Customer Units") or on each carrier's number of minutes of interstate service in calendar year 1994. MCI requests that the Commission base its regulatory fee schedule on customer units (presubscribed interstate lines), and that the Commission not permit carriers to treat regulatory fees as exogenous.

---

<sup>1</sup>Assessment and Collection of Regulatory Fees for Fiscal Year 1995, Notice of Proposed Rulemaking, MD Docket No. 95-3, released January 12, 1995.

## **II. THE COMMISSION SHOULD BASE ITS REGULATORY FEE CALCULATION FOR IXCS, LECS, CAPS, AND RESELLERS OF INTERSTATE SERVICE ON "CUSTOMER UNITS"**

In the NPRM, the Commission requested comment on whether it should base its calculations of 1995 regulatory fees on each carrier's number of presubscribed interstate lines ("Customer Units") or on each carrier's number of minutes of interstate service in calendar year 1994. In comments filed on February 13, 1995, an overwhelming majority of carriers that commented on this issue supported the proposed "customer units" approach over the minutes-of-use method.<sup>2</sup> In fact, not only is the "customer units" method preferred by more than a two-to-one margin over any other single method, but it is supported by more carriers than all other approaches combined.

MCI agrees in principle with LDDS that regulatory fees for 1995 should be assessed on customer units, or presubscribed lines (although LDDS suggests several modifications).<sup>3</sup> However, MCI does not believe that it is necessary for the Commission to test the fee structure before it establishes the rate to be paid.<sup>4</sup> If the Commission bases its calculations on customer units, or presubscribed interstate lines, then it will have a very good idea as to how

---

<sup>2</sup> In the submitted comments, 10 carriers preferred the "customer unit" (presubscribed lines) approach, 3 preferred the minutes-of-use approach, 4 preferred the "revenue generated" approach, and 2 preferred other approaches.

<sup>3</sup>LDDS Comments at 18.

<sup>4</sup>LDDS Comments at 31.

carriers will be impacted by the fee requirements without adding extra delays or added administrative work for itself.

Customer units, or presubscribed lines, are easily determined, do not fluctuate greatly, and are not greatly influenced by economic cycles. Furthermore, the comments filed with the Commission in response to the NPRM clearly illustrate that most carriers prefer the presubscribed lines method over the minutes-of-use method (or any other proposed method). Consequently, the Commission should adopt the customer units method as a basis for calculating its fee schedule.

### **III. THE MINUTES-OF-USE APPROACH IS NOT THE MOST EFFICIENT AND EQUITABLE METHOD FOR ASSESSMENT OF REGULATORY FEES**

Comments filed February 13, 1995, in response to the NPRM, show a wide consensus that the "minutes-of use" approach is not the most efficient and equitable method for assessment of regulatory fees. Interexchange carriers ("IXCs"), resellers, competitive access providers ("CAPs"), local exchange carriers ("LECs"), dominant carriers, and non-dominant carriers all agree that the minutes-of-use approach is more burdensome and less accurate than the "customer units" approach. For example, the National Exchange Carrier Association, Inc. ("NECA") correctly stated that "allocations based on minutes of use do not promote efficiency."<sup>5</sup> Moreover, they correctly note that minutes

---

<sup>5</sup>NECA Comments at 3.

of use is administratively burdensome and may be based on questionable crossover assumptions.<sup>6</sup>

MCI also agrees with Allnet's argument that a minutes-of-use ("MOU") approach would be less accurate than a customer unit based method because the MOU approach (1) permits the use of estimations, and (2), an MOU for one carrier is not comparable to an MOU for another carrier.<sup>7</sup> Furthermore, Allnet correctly points out that "there is little dispute over what a 'customer unit' is versus what a 'billed minute' or 'access charge minute' of use is."<sup>8</sup>

NYNEX incorrectly states that the minutes-of-use methodology will assure that all parties pay an equitable portion of the total fees assessed for FY 1995.<sup>9</sup> NYNEX fails to point out that, as Bell Atlantic has shown, in any given time period, large fluctuations in minutes of use may lead to anomalies that distort the measure of companies' market presence. Consequently, basing fees on minutes of use could result in companies receiving an unfair burden of fees or a windfall in reduced fees, unrelated to their actual market size.<sup>10</sup>

---

<sup>6</sup>Id.

<sup>7</sup>Allnet Comments at 3.

<sup>8</sup>Id.

<sup>9</sup>NYNEX Comments at 1.

<sup>10</sup>Bell Atlantic Comments at 2.

The Commission should, therefore, base the assessment of regulatory fees for LECs and IXC's on each carrier's number of presubscribed interstate lines ("customer units").

#### **IV. NPRM PROPERLY EXPANDS THE PAYMENT OF REGULATORY FEES**

MCI supports Allnet's view that the Commission should expand the payment of agency fees to other entities including private pay telephone providers and resellers.<sup>11</sup> MCI agrees that the Commission should be commended for properly determining that these regulatees, which provide interstate service subject to the Commission's jurisdiction, should also be required to pay regulatory fees. MCI concurs with Allnet that allocating regulatory fees among all carriers that benefit from regulatory oversight establishes a more even and more level "playing field."<sup>12</sup>

---

<sup>11</sup>Allnet Comments at 2.

<sup>12</sup>Id.

## **VI. REGULATORY FEES SHOULD NOT BE BASED ON TOTAL INTERSTATE REVENUES**

A few carriers have suggested that regulatory fees be based on total interstate revenues. These carriers state that this method (1) is simple to administer; (2) could be applied appropriately to all such parties that benefit from the Commission's regulation; (3) does not unfairly burden any of the parties; and (4) has worked in assessing funds for Telecommunications Relay Services ("TRS").<sup>13</sup> It is clear that these carriers are supportive of this approach because it could significantly reduce the amount of regulatory fees paid by these carriers -- thereby shifting the burden to other carriers.

The primary flaw with the "Total Revenue" method is that total revenue is a byproduct of a carrier's minutes of use. Therefore, the "Total Revenue" method is flawed by many of the same problems as the minutes-of-use method (e.g., unrepresentative of market presence, easily manipulated, can greatly fluctuate, etc.). Consequently, the Commission should base its regulatory fee schedule on each carrier's share of interstate presubscribed lines.

---

<sup>13</sup>See comments from AT&T, US West, Southwestern Bell, and NECA.

## **VII. REGULATORY FEE PAYMENTS SHOULD NOT BE TREATED AS EXOGENOUS COSTS**

In the Commission's Fee Waiver Order,<sup>14</sup> the Bureau granted a sua sponte waiver of the price cap rules to allow price cap carriers to treat regulatory fees as exogenous costs, thereby increasing price cap indexes, and giving price cap carriers the opportunity to raise rates.<sup>15</sup> MCI filed a Petition for Reconsideration of the Commission's Fee Waiver Order on November 7, 1994, which is still pending before the Commission.<sup>16</sup> In its petition, MCI argued that the Bureau's action should be reversed, and the carriers required to file a waiver of the price cap rules in accordance with existing price cap policy and practice, and in accordance with the Commission's directive in the Regulatory Fees Order.

In its Petition for Reconsideration, MCI first showed that when the Bureau, acting sua sponte, granted a waiver to permit exogenous treatment of fees, it departed from the process the Commission established -- LECs were not required to file waivers justifying a departure from the rule and interested parties were not permitted to comment on the justifications offered by the LECs.

---

<sup>14</sup> Price Cap Treatment of Regulatory Fees Imposed by Section 9 of the Communications Act, Order, DA 94-1119, released October 7, 1994 ("Fee Waiver Order").

<sup>15</sup> Implementation of Section 9 of the Communications Act, MD Docket No. 94-19, Report and Order, FCC 94-140, released June 8, 1994 ("Regulatory Fee Order"), petitions for recon. pending.

<sup>16</sup> In the Matter of Price Cap Treatment of Regulatory Fees Imposed by Section 9 of the Communications Act, Order, 9 FCC Rcd 6060 (1994).



Second, MCI argued that the Commission had no record evidence before it when it made its decision. Third, MCI pointed out that no showing was ever made by the LECs that the imposition of regulatory fees would result in a hardship on the LECs (e.g., would be so large as to reduce their earnings levels substantially, much less to a level which would result in a confiscatory result). Fourth, the Bureau had not determined that the regulatory expenses are not already reflected in the LECs' price cap indexes, nor that they are beyond the LECs control. Finally, MCI pointed out that, contrary to the Commission's assertion, granting exogenous treatment to regulatory fees will interfere with the LECs' efficiency incentives because the LECs are not the only carriers to face these fees, yet are the only one that is guaranteed regulatory recovery of them.

MCI argued that, if price caps is supposed to mirror incentives in a competitive industry, it is unclear why LECS are being allowed to increase their access charges to recover these fees when their non-dominant competitors and customers must pay for these fees out of their existing revenue stream.

In comments filed in response to the Commission's NPRM, US West and Southwestern Bell claim that the FCC regulatory fees that are being addressed in this proceeding should be treated as exogenous because the Commission ruled, sua sponte, that the funding of TRS could be treated as exogenous by the price cap carriers. MCI urges the Commission not to allow carriers to treat

regulatory fees as exogenous before MCI's Petition for Reconsideration of this issue has been resolved.

#### **VIII. CONCLUSION**

For the above-mentioned reasons, MCI requests the Commission to base its regulatory fee schedule on customer units (presubscribed interstate lines), and not to allow carriers to treat regulatory fees as exogenous.

Respectfully submitted,  
MCI TELECOMMUNICATIONS CORPORATION


A handwritten signature in black ink, appearing to read 'Don Sussman', followed by a long horizontal flourish.

Don Sussman  
Regulatory Analyst  
1801 Pennsylvania Ave., NW  
Washington, D.C. 20006  
(202) 887-2779

February 28, 1995

STATEMENT OF VERIFICATION

I have read the foregoing and, to the best of my knowledge, information, and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on February 28, 1995.

A handwritten signature in black ink, appearing to read 'Don Sussman', followed by a long horizontal line extending to the right.

Don Sussman  
1801 Pennsylvania Avenue, NW  
Washington, D.C. 20006  
(202) 887-2779

## **CERTIFICATE OF SERVICE**

**I, Barbara Nowlin, do hereby certify that copies of the foregoing Reply Comments were sent via first class mail, postage paid, to the following on this 28th day of February 1995.**

**Reed Hundt\*\*  
Chairman  
Federal Communications Commission  
Room 814  
1919 M Street, NW  
Washington, DC 20554**

**Kathleen Wallman\*\*  
Chief, Common Carrier Bureau  
Federal Communications Commission  
Room 500  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Andrew Barrett\*\*  
Commissioner  
Federal Communications Commission  
Room 844  
1919 M Street, NW  
Washington, DC 20554**

**Kathleen Levitz\*\*  
Common Carrier Bureau  
Federal Communications Commission  
Room 500  
1919 M Street, N.W.  
Washington, D.C. 20554**

**James Quello\*\*  
Commissioner  
Federal Communications Commission  
Room 802  
1919 M Street, NW  
Washington, DC 20554**

**Geraldine Matise\*\*  
Acting Chief, Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Susan Ness\*\*  
Commissioner  
Federal Communications Commission  
Room 832  
1919 M Street, NW  
Washington, DC 20554**

**David Nall\*\*  
Deputy Chief, Tariff Division  
Federal Communications Commission  
Room 518  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Rachelle B. Chong\*\*  
Commissioner  
Federal Communications Commission  
Room 844  
1919 M Street, NW  
Washington, DC 20554**

**Judy Nitsche\*\*  
Federal Communications Commission  
Room 514  
1919 M Street, N.W.  
Washington, D.C. 20554**

**Peggy Reitzel\*\*  
Federal Communications Commission  
Room 544  
1919 M Street, N.W.  
Washington, D.C. 20554**

James D. Schlichting\*\*  
Chief, Policy and Program  
Planning Division  
Common Carrier Bureau  
Federal Communications Commission  
Room 544  
1919 M Street, NW  
Washington, DC 20554

Richard Metzger\*\*  
Common Carrier Bureau  
Federal Communications Commission  
Room 500  
1919 M Street, NW  
Washington, DC 20554

Peter W. Herrick\*\*  
Acting Associate Managing Director  
Program Analysis  
Federal Communications Commission  
Room 528  
1919 M Street, N.W.  
Washington, DC 20554

International Transcription Service\*\*  
1919 M Street, NW  
Washington, DC 20554

Joanne Salvatore Bochis  
National Exchange Carrier  
Association, Inc.  
100 South Jefferson Rd  
Whippany, NJ 07981

Jodie L. Donovan  
Teleport Communications Group  
Senior Regulatory Counsel  
Two Lafayette Centre  
Suite 400  
Washington, DC 20036

Andrew D. Lipman  
Jonathan E. Canis  
Swidler & Berlin, Chartered  
Attorney for  
MFS Communications Company, Inc.  
3000 K Street, NW  
Suite 300  
Washington, DC 20007

Cindy Z. Schonhaut  
Vice President  
Government Affairs  
MFS Communications Company, Inc.  
3000 K Street, NW  
Suite 300  
Washington, DC 20007

Andre J. Lachance  
Attorney for  
GTE Service Corporation  
1850 M Street, NW  
Suite 1200  
Washington, DC 20036

Kathryn Marie Krause  
Attorney for  
US West Communications, Inc.  
Suite 700  
1020 19th Street, NW  
Washington, DC 20036

Edward R. Wholl  
Jacqueline E. Holmes Nethersole  
Attorneys for  
The NYNEX Companies  
120 Bloomingdale Rd.  
White Plains, NY 10605

Judy Sello  
Mark C. Rosenblum  
Robert J. McKee  
Attorneys for  
AT&T Corporation  
Room 3244J1  
295 North Maple Avenue  
Basking Ridge, NJ 07920

Charles H. Helein  
General Counsel  
America's Carriers  
Telecommunications Association  
Helein & Waysdorf, P.C.  
1850 M Street, NW  
Washington, DC 20036

Robert M. Lynch  
Mary W. Marks  
Attorneys for  
Southwestern Bell Corporation  
175 E. Houston  
Room 1262  
San Antonio, TX 78205

Jay C. Keithley  
Leon M. Kestenbaum  
Attorney for  
Sprint Corporation  
1850 M Street, NW  
Suite 1100  
Washington, DC 20036

Norina Moy  
Analyst  
Sprint Corporation  
1850 M Street, NW  
Suite 1100  
Washington, DC 20036

Craig T. Smith  
Sprint Corporation  
P.O. Box 11315  
Kansas City, MO 64112

Michael E. Glover  
Edward Shakin  
Edward D. Young, III  
Attorney for  
Bell Atlantic  
1320 North Court House Rd.  
Arlington, VA 22201

Frank M. Panek  
Attorney for  
Ameritech  
2000 West Ameritech Center Drive  
Room 4H84  
Hoffman Estates, IL 60196-1025

Danny E. Adams  
Steven A. Augustino  
Wiley, Rein & Fielding  
Attorneys for  
The Competitive Telecommunications  
Association  
1776 K Street, NW  
Washington, DC 20006

Genevieve Morelli  
Vice President and General Counsel  
The Competitive Telecommunications  
Association  
1140 Connecticut Ave., NW  
Suite 220  
Washington, DC 20036

Richard J. Metzger  
Pierson & Tuttle  
Association for Local  
Telecommunications Services  
1200 19th Street, NW  
Suite 607  
Washington, DC 20036

Heather Burnett Gold  
President  
Association for Local  
Telecommunications Services  
1200 19th Street, NW  
Suite 607  
Washington, DC 20036

J. Scott Nicholls  
Senior Manager of Regulatory Affairs  
ALLNET Communication Services,  
Inc.  
Suite 500  
1990 M Street, NW  
Washington, DC 20036

Catherine R. Sloan  
Richard L. Fruchterman  
Richard S. Whitt  
LDDS Communications, Inc.  
1825 Eye Street, NW  
Suite 400  
Washington, DC 20006

Charles C. Hunter  
Hunter & Mow, P.C.  
Telecommunications Resellers  
Association  
1620 I Street, NW  
Suite 701  
Washington, DC 20006

Michael J. Shortley, III  
Attorney for  
Cellular Holding Inc.  
180 South Clinton Avenue  
Rochester, NY 14646

Randy J. May  
Timothy J. Cooney  
Sutherland, Asbill & Brennan  
Attorneys for  
E.D.S. Corporation  
1275 Pennsylvania Avenue, NW  
Washington, DC 20004-0100

Mark J. Golden  
Vice President - Industry Affairs  
Personal Communications Industry  
Association  
1019 19th Street, NW  
Suite 1100  
Washington, DC 20036

Stephen R. Effros  
James H. Ewalt  
Robert J. Unger  
The Cable Telecommunications  
Association  
3950 Chain Bridge Road  
P.O. Box 1005  
Fairfax, VA 22030-1005

Paul Hemmer  
General Manager  
KGRR  
2115 JFK Road  
Dubuque, IA 52002

Katherine M. Holden  
Wiley, Rein & Fielding  
Attorneys for  
The Associated Press  
1776 K Street, NW  
Washington, DC 20006

Henry Goldberg  
Joseph A. Godles  
Daniel S. Goldberg  
Goldberg, Godles, Wiener & Wright  
Attorneys for  
PANAMSAT, L.P.  
1229 19th Street, NW  
Washington, DC 20036

Robert A. Mansbach  
Attorney for  
COMSAT General Corporation  
6560 Rock Spring Drive  
Bethesda, MD 20817

Paul J. Sinderbrand  
William W. Huber  
Sinderbrand & Alexander  
Attorneys for  
The Wireless Cable Association  
International, Inc.  
888 16th St., NW  
5th Floor  
Washington, DC 20006-4103

Vincent J. Curtis, Jr.  
Howard M. Weiss  
Anne Goodwin Crump  
Fletcher, Heald & Hildreth, P.L.C.  
Attorneys for  
Mid-State Television, Inc. and  
WNAL-TV, Inc  
1300 North 17th Street  
11 Floor  
Rosslyn, VA 22209

Glenn S. Rabin  
Federal Regulatory Attorney  
ALLTEL Mobile Communications and  
ALLTEL Service Corporation  
655 15th Street, NW  
Suite 220  
Washington, DC 20005

Dennis J. Kelly  
Cordon and Kelly  
Attorney for  
Withers Broadcasting Company of  
Texas  
Victoriavision, Inc  
South Jersey Radio, Inc.  
Post Office Box 6648  
Annapolis, MD 21401

Albert H. Kramer, Esq.  
Robert F. Aldrich, Esq.  
Keck, Mahin & Cate  
Attorneys for  
American Public Communications  
Counsel  
1201 New York Avenue, NE  
Washington, DC 20554

Clifford M. Hunter  
President  
Broadcast Media associates  
316 California Ave., STE 700  
Reno, Nevada 89509

Lawrence N. Cohn  
Cohn and Marks  
Attorney for  
Washington Broadcasting Company  
1333 New Hampshire Avenue, NW  
Suite 600  
Washington, DC 20036

Christopher D. Imlay  
General Counsel  
The American Radio Relay League,  
Incorporated  
Booth, Freret & Imlay  
1233 20th Street, NW  
Suite 204  
Washington, DC 20036

Susan W. Smith  
Director of External Affairs  
Century Cellunet, Inc.  
100 Century Park Drive  
Monroe, LA 71203

Kenneth H. Maness  
President  
Bloomington Broadcasting Corp.  
P.O. Box 8  
Bloomington, Illinois 61701



David M. Hunsaker  
John C. Trent  
Potbrese & Hunsaker  
Attorneys for  
Radio 840, Inc  
6800 Fleetwood Rd.  
Suite 100  
P.O. Box 539  
McLean, VA 22101-0539

Henry L. Baumann  
Jack N. Goodman  
Mark R. Fratrik, Ph.D  
National Association of Broadcasters  
1771 N Street, NW  
Washington, DC 20036

Don R. Chaney  
President  
Stellar Communications, Inc.  
P.O. Box 130970  
Tyler, Texas 75713-0970

A.E. Henn  
Vice Admiral  
United States Coast Guard  
2100 Second St., SW  
Washington, DC 20593-0001

Gene P. Belardi  
Vice President and regulatory  
Counsel  
MobilMedia Communications, Inc.  
2101 Wilson Blvd.  
Suite 935  
Arlington, VA 22201

Jonathin E. Canis  
Kathy L. Cooper  
Swidler & Berlin, Chartered  
Attorneys for  
Cablevision Lightpath, Inc.  
3000 K Street, NW  
Suite 300  
Washington, DC 20007

Andrea D. Williams  
Michael F. Altschul  
Cellular Telecommunications Industry  
Association  
1250 Connecticut Ave., NW  
Suite 200  
Washington, DC 20036

Robert R. Johnson  
General Manager  
Sierra Cascade Communications, Inc.  
Rogue Valley Broadcasting, Inc.  
1438 Rossanley Drive  
P.O. Box 159  
Medford, Oregon 97501

Melissa K. Bailey  
Director  
Airspace and System Standards  
Regulatory Policy  
Aircraft Owners and Pilots  
Association  
421 Aviation Way  
Frederick, MD 21701-4798

Randal J. Miller  
President  
WKEI (AM-WJRE(FM))  
Kewanee, Illinois

Howard M Weiss  
James A. Casey  
Fletcher, Heald & Hildreth, PLC  
Counsel for  
Fant Broadcasting Company of  
Nebraska, Inc.  
1300 North 17th Street  
11th Floor  
Rosslyn, VA 22209

Bruce Hood  
Butte College  
P.O. Box 247  
Chico, CA 95927

James P. Wagner  
PO Box 621  
Cincinnati, OH 45201

E.P. De La Hunt  
President & General Manager  
De La Hunt Broadcasting Corporation  
Park Rapids, MN

Gregory P. Jablonski  
President  
The Livingston Radio Company  
Stations WHMI-AM-FM  
PO Box 935  
Howell, MI 48844

Anne E. Mickey  
John W. Butler  
Sher & Blackwell  
Counsel for Hertz Technologies, Inc.  
Suite 612  
2000 L Street, NW  
Washington, DC 20036

Daniel L. Brenner  
Neal M. Goldberg  
Diane B. Burstein  
Counsel for the National Cable  
Television Association, Inc.  
1724 Massachusetts Avenue, NW  
Washington, DC 20036

Mark J. Golden  
Vice President - Industry Affairs  
Personal Communications industry  
Association  
1019 19th Street  
Suite 1100  
Washington, DC 20036

Brian M. Madden  
Nancy A. Ory  
Leventhal, Senter & Lerman  
Attorneys for  
KUSK, Inc.  
2000 K Street, NW  
Suite 600  
Washington, DC 20006-1809

Raul R. Rodriguez  
Stephen D. Baruch  
David S. Keir  
J. Breck Blalock  
Attorneys for  
Columbia Communications  
Corporation  
2000 K Street, NW  
Suite 600  
Washington, DC 20006-1809

Grover C. Cooper  
Lauren Ann Lynch  
Robert L. Galbreath  
Fisher Wayland Cooper Leader &  
Zaragoza LLP  
Attorneys for  
Duhamel Broadcasting Enterprises  
2001 Pennsylvania Avenue, NW  
Suite 400  
Washington, DC 20006

Maine Association of broadcasters  
PO Box P  
128 State Street  
Suite 301  
Augusta, Maine 04332-0631

Donna C. Gregg  
Wiley, Rein & Fielding  
Attorney for  
Cablevision Industries Corp.,  
Multimedia Cablevisison, Inc.  
Providence Journal Company and  
Star Cable Associates  
1776 K Street, NW  
Washington, DC 20006

**Hand Delivered\*\***

  
Barbara Nowlin

Albert Halprin  
Melanie Haratunian  
Halprin, Temple & Goodman  
Counsel for AVIS Rent A Car  
1100 New York Avenue, NW  
Suite 650 East Tower  
Washington, DC 20554

Richard Dills  
President  
Northern Broadcast, Inc.  
2215 Oak Industrial Drive, NE  
Grand Rapids, MI 49505

Philip V. Otero  
Alexander P. Humphey  
GE American Communications, Inc.  
1750 Old Meadow Rd  
McLean, VA 22102

Mark A. Stachiw  
Airtouch Paging  
12221 Merit Drive  
Suite 800  
Dallas, TX 75251

Carl W. Northrop  
Bryan Cave  
Attorney for  
Airtouch Paging  
700 13th Street., NW  
Suite 700  
Washington, DC 20005